

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

DAVID JOHNSON, individual and on behalf
of similarly situated individuals,

Plaintiff,

v.

UNITED AIR LINES, INC., a Delaware
corporation, and UNITED CONTINENTAL
HOLDINGS, INC., a Delaware corporation,

Defendants.

Case No. 1:17-cv-08858

Honorable Virginia M. Kendall

Honorable Magistrate Jeffrey Cole

**UNOPPOSED MOTION TO EXTEND THE TIME FOR DEFENDANTS TO FILE
PETITION FOR ATTORNEYS' FEES**

Defendants UNITED AIR LINES, INC. ("United Air Lines") and UNITED CONTINENTAL HOLDINGS, INC. ("United Continental Holdings") (collectively "Defendants" or "United"), by and through their attorneys, and pursuant to Federal Rule of Civil Procedure 6 and Local Rule 54.3, move for an extension of time to file any petition for attorneys' fees until seven (7) days after the deadline for Plaintiff's to file a petition for a writ of certiorari with the Supreme Court, November 17, 2019.¹ Plaintiff does not oppose this motion. In support of their motion, Defendants state:

1. On June 13, 2019, the Seventh Circuit Court of Appeals vacated judgment and remanded the case with instructions to this Court to dismiss the Complaint for lack of subject-matter jurisdiction and refer the parties' dispute to an adjustment board under the Railway Labor Act (RLA), 45 U.S.C. §§ 15188. (ECF No. 74).

¹ Because November 17, 2019 falls on a Sunday, the filing deadline for the petition is Monday, November 18, 2019.

2. Defendants have followed Local Rule 54.3, in preparation for potentially filing a petition for fees.

3. Per Local Rule 54.3, Defendants' motion for attorneys' fees is currently due 91 days after entry of judgment, or by October 8, 2019.

4. The parties are currently discussing an out of court resolution to resolve this matter with finality, but the resolution has not yet been finalized. For that reason, and to preserve judicial economy, Defendants believe it is most efficient to seek an extension of time to file their petition.

5. On October 7, Plaintiff's counsel indicated that Plaintiff does not oppose the motion for an extension of time.

WHEREFORE, Defendants respectfully request that the Court enter an order extending their time to file a motion for attorneys' fees pursuant to Local Rule 54.3 until November 17, 2019.

DATED: October 8, 2019

Respectfully submitted,

UNITED AIR LINES, INC. and UNITED
CONTINENTAL HOLDINGS, INC.

By s/Ada W. Dolph
One of The Attorneys For Defendants

Gerald L. Pauling (gpauling@seyfarth.com)
Ada W. Dolph (adolph@seyfarth.com)
Thomas E. Ahlering (tahlering@seyfarth.com)
Abigail Cahak (acahak@seyfarth.com)
Seyfarth Shaw LLP
233 S. Wacker Drive, Suite 8000
Chicago, Illinois 60606-6448
(312) 460-5000
(312) 460-7000 (facsimile)

CERTIFICATE OF SERVICE

I, Ada W. Dolph, an attorney, do hereby certify that on this 8th day of October, 2019, I served a true and correct copy of the foregoing **UNOPPOSED MOTION TO EXTEND THE TIME FOR DEFENDANTS TO FILE PETITION FOR ATTORNEYS' FEES** with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record, including:

Jad Sheikali
McGuire Law, P.C.
55 W. Wacker Drive, 9th Floor
Chicago, Illinois 60601
Phone: (312) 893-7002
Fax: (312) 275-7895
jsheikali@mcgpc.com

David Louis Gerbie
McGuire Law, P.C.
55 W. Wacker Drive, 9th Floor
Chicago, Illinois 60601
Phone: (312) 893-7002
Fax: (312) 275-7895
dgerbie@mcgpc.com

Paul T. Geske.
McGuire Law, P.C.
55 W. Wacker Drive, 9th Floor
Chicago, Illinois 60601
Phone: (312) 893-7002
Fax: (312) 275-7895
pgeske@mcgpc.com

s/Ada W. Dolph_____